



**TOWN COUNSEL**

JAMES B. LAMPKE, Esq.

**EXHIBIT A**

Mark D. Stern, Esq. 34  
Liberty Avenue  
Somerville, MA 02144

December 13, 2004

**THIS DOCUMENT IS PRESENTED IN THE NATURE OF SETTLEMENT NEGOTIATIONS  
AND SHALL BE TREATED AND CONSIDERED AS SUCH; NO WAIVER OF ANY CLAIM OR  
DEFENSE BY THE TOWN IS HEREBY MADE AND ALL RIGHTS, DEFENSES AND CLAIMS  
OF THE TOWN ARE SPECIFICALLY RESERVED**

**RE: Boyd Fulton v. Town of Hull**

Dear Mr. Stern:

In accordance with our previous conversations, enclosed please find the responsive pleading of the Town of Hull in the above matter, which is being filed in the US District Court. Thank you for your courtesy in agreeing to extend the filing time.

When we have discussed this matter, I have indicated that I would review the allegations and contact you to discuss same. I have done so and believe that by error and oversight the Town failed to pay your client for the one week's vacation time he had earned by the time of his separation from employment. We regret that error and are willing to rectify same.

I have carefully looked into the other allegations and do not believe that they are valid. Specifically, your client was not entitled to the various time he claims. Our records indicated that he was paid for any overtime he earned. Our records also indicate that he did not serve as the on call or call back person. Our records also indicate that he did not earn the compensatory time he claims.

If you have documents which show otherwise or have specific facts in support of those claims, I would be more than willing to review same and if necessary reconsider my determination.

In the interest of resolving this matter, I would be willing to meet with you or discuss in more detail over the telephone this matter. Please contact me to discuss further.

I can be reached **at 115 North Street, Hingham, MA 02043, telephone 731-749-9922, fax 781-749-9923.**

Thank you for your courtesy and cooperation in this matter.

(ery truly yours/

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